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Peacebuilding Commission
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Draft outcome of the second review of the implementation of the statement of mutual commitments on peacebuilding in Liberia

1. On 16 November 2010, the Government of Liberia and the Liberia configuration of the Peacebuilding Commission adopted the statement of mutual commitments on peacebuilding in Liberia (see PBC/4/LBR/2) to accompany Liberia's peacebuilding efforts. The agreed priorities were: strengthening the rule of law; supporting security sector reform; and promoting national reconciliation. The Commission also agreed to jointly review the statement of mutual commitments nine months after its adoption.

2. The first review of the implementation of the statement of mutual commitments was conducted in 2011. The first review report (PBC/6/LBR/1) was formally presented during the sixth session of the Peacebuilding Commission Liberia configuration and an outcome document, based on the findings of the report, was adopted by the Commission on 13 March 2012 (PBC/6/LBR/2). The outcome document modified the original statement and created new commitments and targets.

3. On 28 September 2012, the Government of Liberia briefed and provided a report to the Liberia configuration on its efforts regarding the second review of the statement of mutual commitments.

4. Drawing on the progress report provided by the Government of Liberia, inputs of the members of the Liberia configuration, mission reports of the Peacebuilding Commission and relevant studies, a second review was prepared. The report analysed the achievements in the three priority areas in relation to the overall efforts for peace consolidation and in the context of the transition of the United Nations Mission in Liberia (UNMIL). While the report concluded that the essence of the commitments agreed upon in the statement of mutual commitments remained valid, it proposed some adjustments to it to make it more reflective of progress and challenges. The report also recommended new deliverable targets for several commitments as the basis upon which to measure progress for the third review and proposed that the review period cover the period from October 2012 to December 2013.

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5. The present document draws on the recommendations contained in the review report, with amendments to the commitment section of the statement of mutual commitments made accordingly.

6. The Peacebuilding Commission recognizes that the primary responsibility for peace consolidation and development rests with the Government and people of Liberia. The revised commitments of each party are detailed below along with deliverable targets that will guide the second review of the statement of mutual commitments in December 2013.

A. Commitments by the Government of Liberia

7. The Government of Liberia commits to pursuing the following actions in the three main priority areas:

1. Strengthening the rule of law

(a) Prioritize the political will to facilitate the work of the Law Reform Commission to better enable it to realize its mandate

Law Reform Commission rolling deliverable targets:

- Progress is made towards the results/outputs included in the strategy of the Commission
- Budgetary allowance for the Commission is increased
- A national law reform policy is adopted
- A national judicial conference is held.

(b) Ensure adequate budgetary allocations for the justice sector

Rolling deliverable targets:

- Adequate budgetary allocations are made for the justice sector in line with the UNMIL and World Bank justice and security expenditure review.

(c) Take immediate steps to reduce the unacceptable levels of pretrial detention cases

Rolling deliverable targets:

- Decrease in pretrial detention statistics
- The magistrates' sitting court programme is expanded to all magistrates courts in Montserrado, as well as the three capital cities in Bong, Nimba and Lofa counties
- Increase in the number of justice officials trained
- Increase in the number of cases being addressed by the pilot probation system.

(d) Strengthen human resources management to ensure that justice sector staff with appropriate training and an accurate understanding of the law are deployed in the counties keeping pace with the deployment of the Liberian National Police

Rolling deliverable targets:

- Newly graduated associate magistrates are deployed
- Increase in recruitment and deployment of State prosecutors and public defenders to hub regions
- Assignment of judges is reflective of the number of cases on the docket
- Legal services are operating from the Gbarnga regional hub, and extended to other hubs.

(e) Create space for public dialogue on the rule of law and rule of law issues

Rolling deliverable targets (complementary to those proposed under the Law Reform Commission in the first commitment):

- Policy on the informal and formal justice sectors is developed by the national conference committee
- Recommendations of the 2010 national conference on informal and formal justice are implemented
- Regional consultative dialogues are conducted to take the report of the 2010 national conference back to the people.

(f) Create and implement a case management and tracking system while simultaneously fostering professional relationships among all components of the justice system, including the Liberian National Police

Rolling deliverable targets:

- Record-keeping and case management pilots are established at the Gbarnga regional hub, and extended to the Harper and Zwedru regional hubs in line with their construction and operationalization.

(g) Establish effective oversight mechanisms for the justice system that provide guarantees for judicial independence and public accountability

Rolling deliverable targets:

- Public Service Office is functioning effectively at the Gbarnga regional hub, and established at other hubs in line with their construction and operationalization
- A review of accountability and oversight mechanisms is undertaken by justice and security sector institutions and recommendations are implemented
- An independent civilian oversight body for justice officials is established following consultations with the general public on its mandate
- Review of court fees and fines is completed and necessary amendments are made to provisions and practices
- Review of bail scheme is completed

- Meetings of the legislative committee on judicial affairs are convened regularly
- Policy on a Liberian paralegal programme is developed by the Task Force on Non-Lawyers or other appropriate body.

2. Supporting security sector reform

(a) Maintain the political will to implement the National Security Reform and Intelligence Act

Rolling deliverable targets:

- The National Security Council meets regularly
- County security councils are functioning in Bong, Grand Gedeh, Grand Kru, Lofa, Maryland, Nimba, River Gee and Sinoe counties
- District security council is activated at the Gbarnga regional hub
- Representation and active participation of women is realized at every level of security policymaking
- Police law is prepared and submitted to the Legislature for enactment
- Reform of the Drug Enforcement Agency, in line with the recommendations of the UNMIL/United Nations Office on Drugs and Crime (UNODC) assessment, is initiated, including necessary amendments to the Drug Enforcement Agency Act
- Anti-drug law is prepared
- National strategy on drugs is developed
- The National Bureau for Investigation and the Ministry of National Security are dissolved
- Public is engaged in dialogue on security sector reform.

(b) Ensure adequate budgetary allocations for the security sector

Rolling deliverable targets:

- Adequate budgetary allocations are made for the Armed Forces of Liberia, the Liberian National Police, the National Police Training Academy, the Bureau of Immigration and Naturalization and the Bureau of Corrections and Rehabilitation in line with the UNMIL and World Bank justice and security expenditure review.

(c) Support the establishment and ongoing maintenance of five regional hubs

Rolling deliverable targets:

- Processing of land deeds for the regional hubs is completed
- Work to establish hubs two and three in Harper and Zwedru is commenced (early outreach to local population and infrastructure design based on services needs)
- Public support offices are functioning in the hubs with protected means for citizens to file complaints

- Adequate numbers of staff are deployed to the hubs, with 20 per cent female representation achieved
- Command and control plans for the Liberian National Police, the Bureau of Corrections and Rehabilitation and the Bureau of Immigration and Naturalization are implemented
- Monitoring and evaluation is conducted to measure the effectiveness of the hubs
- Integrated communication networks for the Bureau of Corrections and Rehabilitation, the Bureau of Immigration and Naturalization and the Liberian National Police are established
- Legislative and regulatory framework is amended to support decentralization within the justice and security sectors
- Lessons learned from the Gbarnga hub experience are taken on board in developing the hubs at Zwedru and Maryland.

(d) Advance the reform of the Bureau of Immigration and Naturalization in line with its strategic plan while maintaining progress in reforming the Liberian National Police

Rolling deliverable targets:

- Training opportunities (including specialized training) for the Bureau of Immigration and Naturalization and the Liberian National Police are increased
- Reform and restructuring of the Bureau of Immigration and Naturalization continues
- Increase the quality and quantity of the Liberian National Police, in line with identified UNMIL transition planning gaps.

(e) Advance efforts to establish effective civilian oversight mechanisms for national security institutions, in particular empowering the National Security Council, county security councils and relevant oversight bodies in the Legislature

Rolling deliverable targets:

- Recommendations of the UNMIL/Department of Peacekeeping Operations security sector oversight study are implemented
- Civilian complaints board is established and piloted
- Community policing focal points are functioning effectively in Bong, Grand Gedeh, Grand Kru, Lofa, Maryland, Nimba, River Gee and Sinoe counties
- The national defence strategy is finalized
- Civilian oversight of the Liberian National Police, the Bureau of Immigration and Naturalization, the Bureau of Corrections and Rehabilitation and the Armed Forces of Liberia is strengthened.

(f) Continue engagement in initiatives pursued by the Economic Community of West African States (ECOWAS)

Rolling deliverable targets:

- Engagement with ECOWAS and other countries in the subregion on the management of the Transnational Crime Unit is continued
- Full staffing of the Transnational Crime Unit is achieved
- The Legislature is deliberating on the Fire Arms Control Act
- The Small Arms Commission and the Liberian National Police are coordinating on a firearms registration and marking system.

3. Promoting national reconciliation

(a) Maintain the political will to implement the strategic road map on national healing, peacebuilding and reconciliation

Rolling deliverable targets:

- The reconciliation road map is finalized, including an inclusive process of public consultation
- The reconciliation road map is officially launched
- A joint reconciliation programme based on the reconciliation road map, and involving government, the United Nations, international partners and civil society, is developed
- Implementation of the reconciliation road map, in line with the joint reconciliation programme, is initiated
- A coordination structure and a funding mechanism (for example, a trust fund) are established in support of implementation of the joint reconciliation programme.

(b) Increase the holding of inclusive dialogue on national reconciliation, including on the report of the Truth and Reconciliation Commission

Rolling deliverable targets:

- Timely submission of Government reports in accordance with the Truth and Reconciliation Commission Act is achieved
- Communications strategy for the reconciliation road map is developed with a view to creating a space for public dialogue on national reconciliation
- Communications strategy for the reconciliation road map is implemented, including quarterly reports to the public on progress made with respect to implementing the road map.

(c) Generate the political will necessary for the Independent National Commission on Human Rights to fulfil its mandate

Rolling deliverable targets:

- The mandate of the Independent National Commission on Human Rights in relation to the recommendations of the Truth and Reconciliation Commission is clarified
- Internal challenges facing the Commission, particularly low staff capacities and inadequate resources, are addressed
- Reparation, memorialization and Palava Hut programmes are implemented, in line with the reconciliation road map
- Capacity to address ongoing human rights violations and build a culture of respect for human rights is strengthened.

(d) Continue to address the role of youth in peacebuilding, primarily through the national youth service programme for peace and development

Rolling deliverable targets:

- National youth service programme for peace and development is implemented, including interventions targeting at-risk youth
- Monitoring and evaluation of the programme is conducted.

(e) Continue to address land issues through the Land Commission

Rolling deliverable targets:

- Alternative dispute resolution system is piloted in five counties
- Consultation and vetting for the land policy completed
- Legislative reforms to address issues of land tenure are made
- Status of the Land Commission is clarified (current mandate expires in 2014).

(f) Advance efforts on decentralization and constitutional reform

Rolling deliverable targets:

- Implementation of a national policy on decentralization and local governance is initiated
- Constitution Review Committee reviews the 1986 Constitution and makes recommendations for amendment(s) in line with its terms of reference
- Civic education and public outreach regarding decentralization and potential constitutional amendments is conducted.

B. Commitments by the Peacebuilding Commission

8. The support of the Peacebuilding Commission to Liberia's national peacebuilding effort will include political advocacy and support, resource mobilization and fostering coordinated action among all relevant stakeholders.

Engagement by the Commission will help to consolidate the country's peacebuilding efforts, strengthen the Government's capacity to gradually assume the many critical functions that UNMIL and the United Nations country team are currently performing in the areas of security sector reform and the rule of law, and advance national reconciliation.

9. The Peacebuilding Commission is committed to the following actions:

(a) Mobilize resources for the peacebuilding priorities identified in the statement of mutual commitments and the Liberia peacebuilding programme, advocating that the pledges and commitments made by different donors be honoured and effectively coordinated; this will be carried out in coordination with and in support to Liberian initiatives

Rolling deliverable targets:

- Government and intergovernmental actors from traditional countries are approached
- Foundations from which funding for Liberia could be sought are contacted
- Follow-up with the World Bank and the African Development Bank.

(b) Broaden the donor base for Liberia and encourage the wide participation of partners in all international forums in which support can be garnered for Liberia; this will be carried out in coordination with Liberian authorities

Rolling deliverable targets:

- The Commission liaises with multinational corporations working in Liberia in order to identify prospects for fundraising
- States holding stakes in multinational corporations operating in Liberia are approached
- In-kind resources from States in the region are sought.

(c) Generate sustained attention and undertake measures to advocate within the international community for support to the peacebuilding process by highlighting progress, challenges, risks and opportunities relating to peacebuilding efforts in the country

Rolling deliverable target:

- Talks are held at various events (including at the Council on Foreign Relations, the United Nations governing boards, round tables and universities) to advocate on behalf of Liberia, in coordination with Liberian officials.

(d) Work with regional actors, particularly ECOWAS, to build upon their interventions in building durable peace in Liberia and in the subregion

Rolling deliverable targets:

- Means for ECOWAS to contribute to the deliberations of the Peacebuilding Commission are identified

- Coordination efforts with the other Peacebuilding Commission configurations in West Africa, in consultation with UNODC, ECOWAS, the Department of Political Affairs, INTERPOL and the Department of Peacekeeping Operations are continued.

(e) **Advise the Government of Liberia and the Liberian people on lessons learned, particularly with respect to land tenure and rights, the harmonization of traditional and statutory legal systems and reconciliation from experience gained in similar situations, serving as an objective voice and wielding, as merited, political leverage to keep related processes on track**

Rolling deliverable targets:

- Continue partnering with experts in the fields of national reconciliation, transitional justice, rule of law and security sector reform
- Share comparative practices on war crime prosecution, repatriations, memorials, historical documentation and national symbols with the Government of Liberia and the Liberian population through meetings and reports as well as different forms of public outreach, including press releases, radio interviews and so forth.

(f) **Contribute to deliberations on Liberia, in particular in the Security Council, by providing advice on the three peacebuilding priorities in order to ensure a responsible transition on security management from UNMIL to the Government of Liberia**

Rolling deliverable targets:

- Share analytical mission reports with the Security Council
- Brief the Security Council during its biannual meetings on Liberia
- Meet regularly with the Assistant Secretaries-General of the Department of Peacekeeping Operations
- Contribute to the effective implementation of the Security Council decisions on Liberia.

(g) **Contribute, individually and collectively, to supporting Liberia in its peacebuilding efforts by collaborating closely with UNMIL and the United Nations country team and encouraging the effective coordination of the United Nations, international organizations and donors at the country, Headquarters and capital levels**

Rolling deliverable targets:

- Participation in meetings of the Integrated Mission Task Force for Liberia at the level of principals
- Engagement of interested actors, including academia, think tanks, non-governmental organizations and experts, through, inter alia, inputs to documents and participation in meetings
- Provide assessments of coordination and donors at the country, Headquarters and capital levels.

(h) Monitor the implementation of the Liberia peacebuilding programme with a view to ensuring that the peacebuilding priorities outlined in the statement of mutual commitments are effectively addressed

Rolling deliverable targets:

- Invite the Joint Steering Committee and other partners to join the configuration or other meetings via videoteleconferencing
- Review reports on the implementation of the Liberia peacebuilding programme submitted by the Joint Steering Committee
- Visit project sites and meet with implementing partners during field trips.

C. Periodic review of engagement

10. The Peacebuilding Commission and the Government of Liberia agree to undertake the third review of the statement of mutual commitments within 12 months of the submission of the Government's next progress report in December 2013.

11. The periodic review in December 2013 will be based on the deliverable targets set forth in the present document.

12. The Joint Steering Committee in Liberia will ensure that peacebuilding matters, and particularly urgent political issues, are placed on its agenda for consultation between the Government of Liberia and its partners, including the Peacebuilding Commission.